

202 West First Street
Los Angeles, CA 90012
catherine.saillant
Work: (805) 367-6661
Fax: (213) 260-9381

Los Angeles Times

Anne M. Holdren or Pension Administrator
Kern County Employees' Retirement Ass'n
11125 River Run Blvd.
Bakersfield, CA 93311

Sent via e-mail to ServiceRep@kcoera.org

July 13, 2011

Dear Ms. Holdren or Pension Administrator:

Pursuant to the California Public Records Act, we ask to obtain the following information from your retirement system for all retirees who receive monies:

- 1) a) the name and employee ID number; b) the gross monthly benefit; c) gross monthly medical benefit; d) gross annual benefit (including medical benefits; e) start date; f) service years at retirement; g) service years purchased (indicate number of years); h) retirement date; i) business unit/job code/job description at retirement; j) department ID/description; k) union/union description; l) base salary; m) base compensation; n) earned pensionable credit and description, such as vacation buydown, auto allowance, etc., o) and any other categories of "other compensation" listed by code and description.
- 2) Gross salary and pensionable salary at time of retirement and for the two previous years.
- 3) Formula used to calculate the pension benefit.

We request this information in Excel format. For your convenience, we attach a copy of an Excel spreadsheet from another county listing all of the information that is requested in the preferred format to respond to this PRA document.

Please respond to me via e-mail: Catherine.saillant@latimes.com.

Thank you,

Catherine Saillant
Los Angeles Times Staff Writer
Catherine.saillant@latimes.com
Tel: 805-367-6661

Encl: VCERA Excel doc.



Anne M. Holdren
Executive Director

Gloria Dominguez
Assistant Executive Director

Kern County Employees' Retirement Association
Board of Retirement

Norman Briggs, Chairman
Jeff Frapwell, Vice Chairman
Jackie Denney
Lance Horton
Joseph Hughes
Konrad Moore
Mark Ratekin
Zack Scrivner
Michael Turnipseed
Bart Camps, *Alternate*
Phil Franey, *Alternate*

July 20, 2011

Catherine Saillant
Los Angeles Times
202 West First Street
Los Angeles, CA 90012

Subject: California Public Records Act Request

Dear Catherine Saillant:

Your request for numerous public records pertaining to all retirees who receive monies from the Kern County Employees' Retirement Association (KCERA) was received on July 13, 2011. After considerable effort by the Information Technology Department, KCERA has compiled most of the information for the 5,567 current retirees in files found on the enclosed disk:

1. Excel – Data Element Interpretation and Description
2. Excel – LA Times 2001 v2 (All retiree information except data on .rpt files)
3. LA Times Salary Data RPT File (Pensionable salary for previous two years)
4. LA Times Other Pay Details Data RPT File (Other pensionable pay detail for previous two years)

The RPT files can be opened with Notepad or Textpad.

Requested Information which is not provided with explanation:

1. Gross salary – information not maintained by KCERA
2. Gross monthly medical - information not maintained by KCERA
Comment: KCERA does not administer retiree healthcare
3. Union/Union description – information not maintained by KCERA
4. Pensionable salary for two years previous for 1,230 retirees not electronically maintained.
Comment: Information maintained on microfiche by pay period is available for your access at the KCERA office.

Sincerely,

Anne M. Holdren
Executive Director

Enclosure: Disk

c: Trustees, Board of Retirement



PRUDENT INVESTMENT • QUALITY SERVICE

Anne M. Holdren
Executive Director

Gloria M. Dominguez
Assistant Executive Director

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Board of Retirement

Jeff Frapwell, Chairman
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Zack Scrivner
Michael Turnipseed
Bart Camps, Alternate
Phil Franey, Alternate

January 12, 2012

Doug Smith
Database Editor
Los Angeles Times
202 West First Street
Los Angeles, CA 90012

Subject: California Public Records Act Request dated January 10, 2012

Dear Doug Smith:

Your request under the California Public Records Act for the 27 biweekly periods on which the retiree's pensionable salary is based for nearly 7,000 KCERA retirees, was received on January 10, 2012. This letter is to confirm our discussion during a recent conference call pertaining to this data. You may recall that you received a similar response to the same request in July 2011.

As I indicated during the conference call, the KCERA does not have the retiree's pensionable salary readily available in the current data base because this information is a calculation process where the current system reviews the entire data base of salary information and determines which period was the highest 12 consecutive months of salary. Once calculated, this information is printed and audited by the KCERA staff and a hard copy is placed in the retiree file. The pension system does not store the final compensation period however.

For retirees prior to mid-2004, this information is only available in the retiree's hard copy file which is stored at the KCERA office. For retirees after mid-2004, this information is available but requires extensive programming to re-perform the calculation. If you wish to pursue the information for the after mid-2004 group of retirees, please let me know and we will prepare a cost estimate of programming time required by KCERA's IT contractor which is billed at \$100 per hour.

Please let me know if you have any questions.

Sincerely,

Anne M. Holdren
Executive Director

c: Trustees, Board of Retirement

From: Anne Holdren [<mailto:holdrena@co.kern.ca.us>]
Sent: Tuesday, January 24, 2012 1:53 PM
To: Smith, Doug
Cc: Gloria Dominguez; Brenda Greenwood; Miranda Rosales
Subject: RE: LA Times inquiry

Doug,

The programming estimate to determine the pay items in FAC is \$4,000, which is based on 40 programming hours at \$100 per hour. According to KCERA's IT manager, this is a reasonable estimate given that it requires reading data fields from super large character strings. Also, it was confirmed that KCERA data base has audit trails for 3,021 retirees, which will be the number of retirees that will be included in the report. This is out of a total of 6,678 retirees.

Please let me know if the LA Times agrees to pay for the programming required to obtain the information requested under the CA Public Records Act.

Thank you,

Anne Holdren
Executive Director
Kern County Employees' Retirement Association
11125 River Run Boulevard
Bakersfield, CA 93311
[661.381.7753](tel:661.381.7753)
holdrena@co.kern.ca.us

>>> "Smith, Doug" <Douglas.Smith@latimes.com> 1/19/2012 10:04 AM >>>
Thanks, Anne.

From: Anne Holdren [<mailto:holdrena@co.kern.ca.us>]
Sent: Thursday, January 19, 2012 9:27 AM
To: Smith, Doug
Cc: Gloria Dominguez
Subject: RE: LA Times inquiry

Doug,

We will submit a work order to obtain a cost estimate for programming. Keep in mind, that the FAC will not obtainable electronically as this data is not stored in the KCERA pension system.

Thanks

>>> "Smith, Doug" <Douglas.Smith@latimes.com> 1/18/2012 5:36 PM >>>
Thanks Anne. I think we've come to a Rubicon. Would you be able to provide an estimate of the programming cost to produce the salary detail for the 26 periods on which the FAC was based?

Los Angeles Times

Pension Administrator
Ventura County Employees Retirement Ass'n
1190 S. Victoria Avenue, Suite 200
Ventura, CA 93003

202 West First Street
Los Angeles, CA 90012
catherine.saillant
Work: (805) 367-6661
Fax: (213) 260-9381

John Nicoll
Human Resources Department
County of Ventura
800 S. Victoria Avenue
Ventura, CA 93003

Sent via e-mail to John.Nicoll@ventura.org and VCERA.Info@ventura.org

Oct. 26, 2011

Dear Pension Administrator/Mr. Nicoll:

Pursuant to the California Public Records Act, we ask to obtain the following information from your retirement system for all retirees who receive monies:

- 1) **a)** the name and employee ID number; **b)** the gross monthly benefit; **c)** gross monthly medical benefit; **d)** gross annual benefit (including medical benefits; **e)** start date; **f)** service years at retirement; **g)** service years purchased (indicate number of years); **h)** retirement date; **i)** business unit/job code/job description at retirement; **j)** department ID/description; **k)** union/union description; **l)** base salary; **m)** base compensation; **n)** earned pensionable credit and description, such as vacation buydown, auto allowance, etc., **o)** and any other categories of "other compensation" listed by code and description.
- 2) Gross salary and pensionable salary at time of retirement and for the two previous years.
- 3) Formula used to calculate the pension benefit.

We request this information in Excel format.

Please respond to me via e-mail: Catherine.saillant@latimes.com.

Thank you,

Catherine Saillant
Los Angeles Times Staff Writer
Catherine.saillant@latimes.com
Tel: 805-367-6661

LEROY SMITH
COUNTY COUNSEL

MICHAEL G. WALKER
CHIEF ASSISTANT

ALBERTO BOADA
PRINCIPAL ASSISTANT



COUNTY COUNSEL

COUNTY GOVERNMENT CENTER
800 SOUTH VICTORIA AVENUE, L/C #1830
VENTURA, CALIFORNIA 93009
PHONE NO. (805) 654-2580
FAX NO. (805) 654-2185

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Robert N. Kwong	Thomas W. Temple
Patricia McCourt	Eric Walts
Ilene F. Mickens	

November 3, 2011

Catherine Saillant
Los Angeles Times Staff Writer
202 West First Street
Los Angeles, California 90012

Re: Public Records Act Request for Pension and Compensation Data

Dear Ms. Saillant:

This responds to your letter dated October 26, 2011, sent via e-mail to the Human Resources Department of the County of Ventura ("County") and to the Ventura County Employees' Retirement Association ("VCERA"). Much of the data you request has recently been compiled and provided to the Ventura County Taxpayers' Association in Excel format, after a tremendous amount of staff effort and expense. We are now providing to you that Excel spreadsheet in response to your Public Records Act ("PRA") request.

The attached Excel spreadsheet does not, however, include all information in your request, and includes some additional information you have not requested. The primary differences are: (1) the spreadsheet includes names, but not employee I.D. numbers; (2) the spreadsheet includes salary information for the one year preceding the member's retirement, rather than the two years you have requested; and (3) the spreadsheet includes only retirees whose combined VCERA and County benefits equal or exceed \$8,333.33 per month, as of June 30, 2011, and does not include all retirees as you have requested. Further explanation regarding the information in the spreadsheet is set forth below.

The accompanying spreadsheet consists of two combined files, one from VCERA's files and one from the County's files. To the left of the heavy black line is the retirement information, most of which comes from VCERA's database. The one exception is column C, "Ret Hlth," which is a health care stipend payable to certain retirees who were in a management classification, and is payable for up to five years. Column D is the total annual benefit, consisting of the pension benefit payable by VCERA and the Retiree Health Stipend payable by the County. To the right of the heavy black line is information provided by the County Auditor-Controller's office. Please note the following:

VCERA INFORMATION

1. The spreadsheet does not include information as to whether retirees purchased service credit during the three years prior to retirement, as the Court of Appeal has ruled that records and information concerning members' "regular and special service credits" are confidential. (See *Sonoma County Employees' Retirement Association v. Superior Court of Sonoma County*, (2011) 198 Cal.App.4th 986, 1004, fn. 10.)
2. The spreadsheet contains specific information on whether a retiree received a service-connected disability retirement ("SCD") or non-service-connected disability retirement ("NSDR").
3. The spreadsheet includes beneficiaries whose benefits equal or exceed \$8,333.33 per month and are based on the member's benefits. No compensation information is provided for the original member in these instances.
4. Regarding separate accounts or division of benefits pursuant to a Domestic Relations Order ("DRO") in a dissolution matter, the spreadsheet does not include members whose benefit may have met the \$8,333.33 per month threshold had the account not been subject to division. For members whose accounts were divided pursuant to a DRO but who nevertheless receive \$8,333.33 or more per month, the column showing service years at retirement reflects only the service credit in the member's account, and does not include the service credit transferred to the nonmember's account.

**COUNTY INFORMATION
("COMPENSATION WORKSHEET")**

1. For retirees who left County service prior to the implementation of the County's current payroll system ("Ventura County Human Resources Payroll" system, or "VCHRP"), compensation data for these retirees are available only on microfiche. After discussions with the Ventura County Taxpayers' Association ("Association"), it was agreed that the Association's PRA request would be considered revised to eliminate requests for records that would require hours of research of microfiche in order to provide data concerning elements of compensation earned in the final year of service. Accordingly, pursuant to Government Code section 6253.9, subdivision (c), and agreement with the Association, no compensation information is provided for any retiree whose final year of service was prior to 2005.

2. While the County is able to provide the elements of compensation for each member's final year of service (except as noted above), please note that the total compensation amount may not represent the "final average compensation" used by VCERA in calculating a member's benefit. Discrepancies may result from factors such as use of an alternate measurement period, use of a three-year measurement period in the case of a Tier II member or required use of a final average compensation amount from a reciprocal retirement system.

3. As stated above, for beneficiaries whose benefits equal or exceed \$8,333.33 per month, no compensation information is provided for the original member in these instances.

In response to your final request for the formula used to calculate the pension benefit, the following is provided:

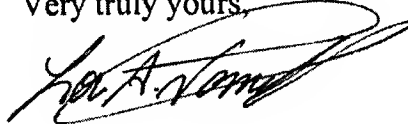
Ventura County has three formulas applicable to its members. For safety members, the County has adopted Government Code section 31644; for General Tier 1, the County has adopted Government Code section 31676.11; and for General Tier II, the County has adopted Government Code section 31676.1.

In the event you wish for the County and VCERA to undertake the task of researching and compiling data to supplement this spreadsheet in order to provide the additional data requested in your October 26, 2011, letter, please advise me so that each

Catherine Saillant
November 3, 2011
Page 4

agency can prepare an estimate of the costs as permitted by Government Code section 6253.9, subdivision (b)(2), and County Ordinance No. 4339.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lori A. Nemirow", written over a horizontal line.

LORI A. NEMIROFF
Assistant County Counsel

LAN:se

Enclosure

pc: Henry Solis, Interim Retirement Administrator
Matt Carroll, Assistant County Executive Officer
Christine L. Cohen, Auditor-Controller

From: Henry Solis [<mailto:Henry.Solis@ventura.org>]

Sent: Wednesday, January 25, 2012 6:11 PM

To: Saillant, Catherine

Cc: Henry Solis

Subject: Voice Mail response

Catherine,

I wanted to confirm that I received your voice mail message. With respect to your request for number of new retirees added to the payroll since 2006, the data is not maintained in the format you requested. As I stated to you on the phone, we capture the net increase in the number of new retirees receiving benefits. This number would reflect the net change of retirees who have been added to the retiree payroll and those who have been taken off due to death. We will have to go back through our records manually to provide this information and gather it. Given the limited resources we currently have, I will have to get back to you to see how long it would take us to produce. I will let you know by Friday.

I received your voice message regarding some additional requests. As I mentioned to you in our phone conversation from the 24th, I respectfully request that you submit your request in writing (via email) so I can assign and properly respond whether the information you request can be reasonably produced.

Thank you and have a nice evening.

Regards,

Henry Solis

Henry C. Solis, CPA, CIA | Interim Retirement Administrator
Ventura County Employees' Retirement Association
1190 South Victoria Avenue, Suite 200 | Ventura, CA 93003
Direct: 805.339.4267 | Fax: 805.339.2502 | Main Line: 805.339-4250
henry.solis@ventura.org | www.ventura.org/VCERA

From: Henry Solis [<mailto:Henry.Solis@ventura.org>]
Sent: Thursday, January 26, 2012 5:25 PM
To: Saillant, Catherine
Cc: Smith, Doug; Moore, Maloy; Marble, Steve
Subject: RE: Voice Mail response (Request for addt'l data points-Ventura)

Catherine,

Thank you for your information request. I will follow up to once we have determined if we can provide you the information you need and how long it will take for us to produce that information.

Regards,

Henry

Henry C. Solis, CPA, CIA | Interim Retirement Administrator
Ventura County Employees' Retirement Association
1190 South Victoria Avenue, Suite 200 | Ventura, CA 93003
Direct: 805.339.4267 | Fax: 805.339.2502 | Main Line: 805.339-4250
henry.solis@ventura.org | www.ventura.org/VCERA
>>> "Saillant, Catherine" <Catherine.Saillant@latimes.com> 1/26/2012 2:20 PM >>>

Hi Henry:

The additional data points I am seeking are:

- 1) Number of Ventura County government beneficiaries who have retired since Jan. 1, 2006.
- 2) Of the beneficiaries referred to in #1, how many have a Domestic Relations Order in place?
- 3) Of the beneficiaries referred to in #1, how many are the widow/widower of a deceased beneficiary?

Thank you,

Catherine Saillant